

KINSHIP PRACTICE OF TOBA BATAK MOSLEM AS A LAND CONTROL STRATEGY IN ASAHAN

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Abstract: This study shows the use of Toba Batak Moslem kinship relations as a livelihood strategy for land control in the changing space of power since the Malay-Islamic era in Asahan through the perspective of Bourdieu's theory of practice. The research was conducted using ethnographic methods. The analysis units are determined in stages starting from the family, descent group, clan association, and the Toba Batak community in the hinterland areas of Bandar Pulau, Bandar Pasir Mandoge and Buntu Pane. The results of the study found that adaptation strategies have expanded alliances and increased the practical function of the Toba Batak kinship in an effort to control land as the most important source of livelihood as a corporate kinship unit. Contestation of land is getting more complicated as the influence of plantation corporate capital and state power enters the

that the use of clan networks or descent groups is limited in function, when compared with the competition for resources among Toba Batak families.

Keywords: kinship practices, livelihood strategies, migration, Toba Batak Moslem

Introduction

This study examines the practice of Toba Batak Moslem kinship as a livelihood strategy in the migration case in Asahan, North Sumatra. Referring to the Bourdieu concept,¹ kinship practice is defined as the use of kinship relations by individuals and groups for practical livelihood functions. For anthropologists, it is important to study kinship practices as a migrant livelihood strategy. Experts like Bourdieu asserts that the study of kinship issues limited to rules does not seem to provide meaningful understanding if they do not pay attention to the use of kinship relations in real practice.² The study of this issue becomes important in an effort to divert the tendency of many kinship studies which only concentrate on the work of reproducing the ideals of dominant social structures, which often no longer conform to the forms practiced in reality.

Livelihood means efforts to gain access and manage resources. The strategy as proposed by Bourdieu is the result of awareness of the rules as an individual tactic or community unity through historical processes and certain spaces.³ Livelihood strategy means methods of obtaining, managing and maintaining material and immaterial resources.⁴ The study focuses on how the strategy of Toba Batak migrants to use their kinship in the context of migration which is constantly changing in the changing space of power, Malay-Islam, the Dutch East Indies Colonial Government, Japan, and the Unitary State of the Republic of Indonesia, in order to obtain and develop livelihood resources. Resources especially access to and ownership of land as important capital in agricultural production. As a corporate kinship unit, the Toba Batak people as according to Koentjaraningrat are integrated by the value of unity and collective solidarity, where each member in the kinship system is bound by shared responsibility and rights to production and consumption resources and inheritance.⁵

The study conducted is part of a study on rural migration of the Toba Batak people in the second generation. Some experts like Bruner;⁶ Cunningham;⁷ Pelly;⁸ Hasselgren⁹ and Suparlan¹⁰ found that the migration carried out by this ethnic group did not result in the loss of kinship between them, but it was even stronger. However, because of its emergence in relation to the interests of livelihood in the context of migrants, the practical function of kinship is more visible than the function in official rules.

Migration of the Toba Batak to urban areas has been studied by experts more often as compared with their migration to rural areas. That was despite sound historical records showing the flow of migration from North Tapanuli to rural areas of East Sumatra well before the 1900s in connection with agriculture and the policies of Dutch-owned plantation companies in overcoming labor scarcity. This is one of the arguments that the study of the Toba Batak migration to rural areas in Asahan is important. Although in terms of distance, the migration to Asahan occurred about 200 kilometers from its original area in North Tapanuli.

The second generation is the descendants of migrants who are born and orient their livelihoods towards the context of their migration.¹¹ Migration research issues mostly develop around the livelihood strategies of migrants in the early stages of migration. Few studies have explained their situation as well as that of their descendants after the initial stages of migration? If migration to urban areas is based on the motivation to get a livelihood as an employee or increase the level of education, while the migration to rural areas in the East Coast of Sumatra generally occurs among Batak Toba farmers with the aim of obtaining a source of livelihood from subsistence farming methods.

The main problem with access to land as an important source of livelihood had emerged during the early arrival of the Toba Batak. The strategy to acquire land that was carried out

had to adapt to the changing space of control, Malay-Islam, the Dutch East Indies and Japanese Colonial Government in Asahan. Relying on subsistence farming of the first generation of Toba Batak migrants, they are able to sustain their livelihoods and limit their dependence on livelihoods with other ethnic groups outside the village. They rely on the help of their fellow migrant families to overcome all food and clothing problems. Needless to say, livelihoods in the early settlements were very limited sufficient only to ensure of survival.

The main source of livelihood for the first generation of migrants came from shifting cultivation by clearing limited forests while building settlements on it. The new land is only used for daily living needs with the *huma* farming system. The main crops in the huma field are land rice, corn, beans, tubers, and vegetables for daily food needs. Rice as the main commodity is grown on the edge of hills or swamps by relying on a rainfed system. Increasing the types of plants is a strategy to guarantee food needs before the rice harvest arrives. The huma farming system continued until the arrival of foreign plantation companies in East Sumatra.¹²

After the opening of the plantation company took place around 1929, most of the first generation of Toba Batak migrants made a living by odd means. Some of them took odd jobs in plantation companies owned by the Dutch East Indies Government to meet limited household needs. While working on the plantations, efforts to clear forests for cultivation continued between the boundaries of the Dutch-owned plantations. The issue of land tenure is increasingly developing in the second and third generations of migrants along with population growth, the entry of new arrivals, and the continuing decline in land availability as a result of the expansion of smallholder plantations in the villages after the 1960s. The low price of agricultural commodities, the

need for land, capital and labor has become livelihood problems that are no less important in the transition process of subsistence agriculture to an industrial agricultural system.

Through the expansion of kinship relations and the addition of new families over a relatively long period of time, there is an increase in the quantity of the Toba Batak lineage network in the village. The size of the members in the network, clan or descent group is an important issue for livelihood strategies. The social network formed through kinship solidarity ties and the unity of the village living space is transformed as a strategy to achieve livelihood resources, especially land ownership and access, defense, and land dispute strategies as the most important resource.

Methodology

Studies that focus on the practices or actions of actors using kinship relations as an effort to gain access to and manage land resources are carried out using Spradley's ethnographic method. Related to the study of kinship, the ethnographic method is used with the aim of finding the cultural meaning of the kinship relationship of the Toba Batak people in Asahan based on their own point of view and practicing it daily. Culture in this context, as argued by Spradley (1997), is the knowledge acquired and used by actors to interpret experiences and produce actions.¹³

Data collection was carried out from February to December 2018 through a series of in-depth interviews and diligent observations, as well as digging up supporting document materials. Interviews were conducted to find concepts and arguments by relating them to embodied kinship practices. Researchers' interviews with informants were conducted openly and unstructured. During

the period of data collection through interviews, researchers made observations on life situations in the village. Information search was developed extensively by utilizing document data. The analysis units are determined in stages, namely individuals, families, descent groups and clans, as well as the Toba Batak community in Asahan in the hinterland areas of Bandar Pulau, Bandar Pasir Mandoge and Buntu Pane.

Results and Discussion

Toba Bataks in the Hinterland Villages

This research concerns Toba Batak villagers of Bandar Pulau, Bandar Pasir Mandoge and Buntu Pane, hilly areas with altitude between 60 and 155 meters above sea level. These research areas are not too far from the coast in the east which meets the Malacca Strait. The Toba Bataks had migrated to the region through several waves of arrival. The Toba Bataks in this study are descendants of the first generation who migrated between the 1800s and the 1930s. The situation of social conflict resulting from Dutch colonization was the main cause of movement to Asahan, apart from sociodemographic factors such as occupation density, limited agricultural land, and difficulty in living.

The transfer of the first generation is carried out by the youth or by groups of families, clans and descendants. Most of them were farmers, a small number of traders, or job seekers on plantations owned by the Dutch East Indies colonial government. The nomads came from different hometowns such as Sibisa, Balige, and Porsea. The geographical situation of the village of origin is a plateau between hills, steep cliffs and mountains. In addition to their different hometowns, the Toba Batak migrants also come from various clan backgrounds, the Nairasaon clan being the largest clan group. Even though the characteristics of

the regions are relatively the same, there are differences in character and tradition based on the migrant background.

Different spaces of control, the Malay-Islamic rulers, the Dutch East Indies colonial government, Japan, and the state made the history of the Toba Batak village and livelihood situation in Asahan develop in diversity and contestation of interests. Closed tribal group settlements make the village develop based on genealogical ties, as a space to strengthen kinship relations and control of resources. The network of relatives not only facilitates movement but provides material security and psychological protection against livelihood difficulties while continuing to absorb migrants. Researchers found, although socio-demographically, Malay is the host population in Asahan, but the situation of life and livelihoods of the Toba Batak people in the village is relatively free. This finding is different from the description of the strong pressure of the Malay group, where inland areas tend to be freer in controlling resources.

Strategy to Strengthen the Patrilineal System with Islam

The strategy of taking a Malay-Islamic identity through changing one's own name, hiding clan names and converting to Islam made the livelihood of the Toba Batak people easier. However, in this adaptation strategy, the Toba Batak people do not completely let go of their original identity, on the contrary, they reinforce the identity that the actor is continuously adapting to. The weakening of Malay rule in the socio-political structure and colonization made the livelihood situation of the Toba Batak family in the village after the second generation to become even more open to efforts to reconstruct and redefine their own identity.

The researcher sees that although the taking of Malay-Islamic characteristics is strategic, in fact the process continues until its present descendants. This means that the descendants of the Toba Batak migrants have not completely abandoned Asahan's Malay-Islamic characteristics. There is even a mixture of Toba Batak and Malay characteristics that are used and complement each other, one of which is the practice of managing land inheritance. The distribution of inheritance among the Toba Batak descent families in Asahan is not fully carried out by customary means but refers to Islamic inheritance law, even though the practice shows unfairness. The research findings show that even though there is a mixture of cultural attributes such as language, traditional rituals and religion, the most important basic principles as a marker of identity for the Toba Batak, namely clan and the patrilineal system are still referred to. The kinship structure of the Toba Batak descendants in Asahan does not follow the bilateral Asahan Malay kinship. The influx of Islamic influence has further confirmed the sustainability of the Toba Batak patrilineal system because of the common ground between them.

Kinship Practices in Land Tenure Strategy

1. Access and Land Ownership

In an effort to obtain ownership rights and access to land, the Toba Batak migrant families developed several kinship-based strategies, namely the exchange of family labor, *marsiruppa*, and borrowing family land. *Marsiruppa* is carried out among members of the nuclear family, clan groups or other relatives in the village by exchanging labor during land clearing and other work on the farm. Land borrowing is temporary and is given to family members who have moved recently, limited land owners, or new household partners in the village. Through land borrowing,

the Toba Batak migrant families have the security and convenience of obtaining agricultural land from their fellow relatives.

2. Maintaining the Land

No-Land-Transfer Policy. Toba Batak farming families in Asahan are strongly against selling their lands. Through the prohibition on selling land, it can be seen that this prohibition is part of the strategy to maintain family owned land as a hereditary resource. For the Toba Batak people, family inheritance land must be managed and it is not allowed to be sold to other people, except among relatives. Prohibition of selling inherited land is to prevent family members from selling their property easily. In addition to respecting parental inheritance, this method is carried out as an effort to maintain family members so that they still have access to land as capital and life insurance. Being a farmer thus seems to remain the main job orientation of the Toba Batak migrant descendants. Although the possibility opens up other jobs outside the agricultural sector such as trading or self-employment.

Transfer of Limited Land Rights. The strategy of not selling land is strengthened through the practice of transferring land rights in a limited manner. The transfer of land rights usually has to be carried out between families or with people who are still closely related. The strategy of transferring land is limited among relatives appears to be part of a strategy to maintain inherited land. Even if they are forced to sell land or gardens, the families that own the land make limited sales offers among their nuclear families or close relatives. This means that even if the land is traded, the ownership is still in the immediate environment of close relatives. This strategy of transferring land rights is to maintain family honor. Other family members can even object to the sale of inherited land with other people

outside of their immediate family members, by forcing them to stop the sale and purchase transaction. For the buyer, an objection from the family is sufficient to be the basis for canceling the buying and selling process as a form of respect for the family who owns the land. If no family member is willing or able to pay the cost of transferring the land, then distant relatives will be looked for. Remote relatives are not direct family members, but still have clan or marital ties. After no one was willing from distant relatives then the land was openly sold. This strategy of limited land transfer became increasingly stringent, especially after opportunities for expansion by clearing forests were no longer possible since the 1970s.

Ancestral Tombs. Apart from the consideration of family prestige, sometimes in the plantation area the graves of ancestors or other family members are also found. For the Toba Batak people in Asahan, it seems that the custom of building graves of deceased family members on their own land has been done a long time ago. Not a few of the panombang or forest clearing officers died and were buried in the land cleared because it was far from the village. Graves on plantation land, as mentioned, were often found in the 1960s, during the large-scale clearing of farming was carried out by panombang people. For the family clearing the forest, the existence of a family grave on the clearing land indicates ownership of the land. So that other people do not enter the land that the family has cleared.

After the settlement developed and the shifting cultivation system was no longer prevalent, the habit of burying the corpse on the plantation land changed slightly with the existence of the donated burial land. Even so, researchers also found a tomb that was built on privately owned land. Based on the observations of researchers, although in the villages along Bandar Pulau, Bandar Pasir Mandoge and Buntu Pane have donated burial

land, the custom of burying their bodies on land owned by the family is still practiced today. Because of that a lot of graves were found in the plantation area. This tradition seems to have an objective so that land is not easily traded to other people. Because selling land or gardens means selling family graves. Although in certain cases the sale of land is unavoidable, such as due to an urgent need for money due to illness or the cost of educating children, some households are forced to sell their land. But a strict prohibition on selling land remains the norm.

3. Marriage and Land Practices

Apart from parallel cousin marriages, according to Bourdieu, marriages often occur among families who are in a network of exchanges that they have had. The characteristic of a political marriage or parallel cousin marriage is very much determined by the goals and collective tactics carried out by a group through symbolic capital in the form of prestige. The marriage strategy against this background, according to the function of limiting heredity as an effort to maintain hereditary groups, transfer of resources, as a strategy to produce social actors who are worthy and capable of receiving the inheritance of their social group hierarchy.

Certain cases of intermarriage among the descendants of village openers, village kings, *toke-toke* in the village, or even later descendants of landlords, seem to clarify this tendency. Although the researchers do not intend to draw general conclusions from the case regarding all marriage practices that occur among the descendants of the Toba Batak people. Kinship relationships through marriage among the descendants of the second and third generation migrants, namely the village openers and the village head, are also effective in maintaining land as capital that is passed down from generation to generation. The practice

of such marriages continued until the fourth generation of toke and landlords. The practice of this marriage is not only limited to the goal of maintaining, but also expanding land ownership and family social prestige in the village.

Marriage and Tricks to Defend the Land. The village situation and life of the Toba Batak people from the beginning developed from certain descendants or clan groups. Whether it's from the kings or village heads in the past or from the village opening family. Because of this, almost all families in the village are closely related, either by blood, clan or by marriage. Very few families of newcomers were not related to the families in the village.

It can be said that eventually most villages developed into the basis of certain descent groups or clans. Marpaung and Sitorus are for example the two main clan groups in the village of Pargambiran for a long time. Since only the families of the two groups are inhabited, the development of the village and the growth of the village population only comes from the existing families. This means that the children in the existing family marry each other. This young couple then developed into the new head of the family in the village. This has been seen to date, for example in the villages of Gunung Berkat, Pargambiran, Buntu Maraja, and Gajah Sakti.

In addition to the population composition factor in the history of village development as previously described, however, the practice of marboru ni Tulang marriage or with fellow clans as an idealized model of marriage has led to the formation of unity among the Toba Batak families. This is part of the way some families maintain group unity. In the past, in the 60s, young people in the village were very stressed by their parents to marry cousins or bone boru. Marriage at that time was a way to strengthen and maintain kinship relations between families in the village so that it would not be cut off.¹⁴

It seems that the way of marriage between relatives who open the village are still related is one of the strategies to maintain land ownership in the village or to provide agricultural production facilities in terms of labor. This is associated with practices among families such as sharing, lending temporary land or giving it as inheritance. Many young children in the village depend on this model of providing assistance from their parents. This method is a family strategy to provide livelihood capital for new household partners. The practice of marriage that occurs between families or clan groups who open the village in the second and third generations of the Toba Batak migrant descendants continues in their current fourth generation offspring. Therefore, most of the settlements and plantations belong to the families that have been passed down from generation to generation. If a child is married, their parents provide a share of housing or garden land in the village. Most of the migrants who enter the village do not have access to land or gardens, except for those who can afford to buy land. Those who do not have the ability to buy land are forced to ride on community-owned lands or become wage laborers on the plantations of the Toba Batak people.

Marriage and Strategies to Expand Land. An interesting phenomenon to look at is the marriage between the fourth generation, fellow descendants of the owners of large gardens in the village who people call landlords. These landowners come from among large land owners or capital owners such as *toke-toke* villages. Among land owners in the village, although the average family owns their own land, the existence of landlords can still be distinguished from those who are not landlords. Landlords have a wider area, can reach up to hundreds of hectares.

Although having to provide a dowry and a relatively large party fee, averaging up to one hundred million, for some families the marriage between their children can increase the family's

prestige. The dowry that is given can usually be “returned”, or in the village’s term “return on investment” through the provision of land or gardens that are likely to be expected from both parties for their children as living capital.¹⁵ According to Bourdieu’s framework, the marriage strategy of the landlords is directed at maintaining or even increasing material and symbolic capital. The marriage strategy as described by Bourdieu is categorized as a reproductive system, namely the total number of tactics whereby individuals or groups objectively tend to reproduce certain production relations in order to reproduce or improve their position in the social structure in the village in a sustainable manner. In order for social relations to last, social relations are transformed into long-lasting obligations such as marriage. So that the term “the rich get richer” seems to apply to the case of marriages among descendants of landlords.

Kinship Strategy in Land Disputes

Land disputes that occur between Toba Batak farmer families or other parties such as plantation companies and the state stem from different interpretations of evidence or land ownership markers. The play of kinship strategies in land disputes is first demonstrated through the ideology of peasant families which emphasizes as a resource even though land ownership is an asset for families, but there are a few functions towards other fellow families that must be carried out on it. The historical ties to the opening of the village gave rise to the views of the Toba Batak farming families in Asahan regarding the communal function of land. Land ownership rights in the village are fully the rights of every family, as well as for the descendants of Toba Batak migrants, the function of land is not only individual but also communal. Land as the most valuable resource conceptually belongs to God and there are rights of other relatives in it even

though it is not ownership rights. Toba Batak farming families in the village are taught not to take parts of land that do not belong to them and there are community rights that must be paid on it.

Although there is no data showing the customary land belonging to the Toba Batak people in Asahan, in terms of ownership and management practices, apart from privately owned land, there is also land owned and managed in the name of the group, where the Toba Batak farmers construct the concepts of land, settlement and descent in relation- the unified relationship between the three. Furthermore, because land is owned individually and there are communal rights, the strategy of occupation, control or claims over land is based on family networks, lineages or clan groups. Although the strategies developed do not always produce results, the following description is important in showing how the issue of kinship is constructed and used as a land tenure strategy.

Family Way. Due to strong kinship and village ties, if there are disputes over the boundaries of agricultural land between families, it is resolved by familial means. Settlement of disputes through legal channels tends to be avoided. This is different when land boundary disputes face other groups of immigrants in the village or with plantation companies and land under state control. In cases of land disputes in former settlements and PIR lands, apart from using formal legal channels, a kinship-based strategy is also played, namely clan groups or descendants of village opening groups and ancestral grave markers. For this reason, from the past, almost no land disputes were found between families in the village at least before the mid-1960s.¹⁶ Old people used to believe that if there was a difference regarding the boundaries of their cultivated land, there would always come *hambing siheres*, goats with three legs, two in front and one leg in the

back. The hind legs will outline a trail showing the boundaries of the land that are set aside with the opposing boundaries. The myth about hambing siheres illustrates how easy it is to resolve land boundaries between people in the village. The availability of new cleared land has not created competition in terms of land tenure.

As previously mentioned, after 1965 immigrants from South Tapanuli and Javanese from the plantations increasingly entered the village. By 1970, when the land in the village became increasingly limited due to the massive clearing of cultivation that had been going on so far and the increasing number of new arrivals opened the awareness that the Toba Batak farmers felt the need to take care of their land ownership certificates. The newcomers to the village asked for proof of land sales from the Toba Batak people who released their land. This newcomer indirectly teaches the need for a certificate of land ownership which Toba Batak farmers have been neglecting to do, who are busy with forest clearing activities alone. After this period the land began to become a valuable resource in the village.

The most land cases among the Toba Batak people in the village since now are regarding land boundaries. The land boundaries in the village have always been marked by natural markers such as creeks, ditches, hills, or what the local people call them napa-napa. In addition to natural markers, farmers recognize land boundaries through tree plants such as areca nut, bamboo, grave flowers, which are planted between fields or rubber and oil palm trees with boundary friends. Or graves on land that is maintained. It is rare to find permanent land boundaries, for example iron stakes, cement, or trenches such as those created by plantation companies to limit their land to land owned by the people. When parents pass on their land to the next generation, the agreed boundaries are not so clear because there is no permanent

land boundary. Although the parents have explained the location and boundaries of the land to their children. Some of the boundary marking trees are also dead or not properly maintained so that the boundaries between adjacent lands are blurred.

The competition in land tenure have also begun to emerge through several cases of land ownership disputes. During this time, if a dispute occurs, usually both parties will try to show boundaries based on signs or show land certificates issued by the village head or camat. Usually this happens on land or garden land that is sold. Likewise, the solution to land disputes among the Toba Batak people in the village is always pursued through familial means. However, among them are still related to kinship and live in the same residential space in the village. At least it appeared until the 1960s, when the land supply in the villages was still relatively large and cheap.

The relatively fierce competition between 1965 and 1970s actually took place between the Toba Batak Christians and fellow Toba Batak villagers from among the Muslims. In some villages, it appears that the efforts of the Batak Toba Muslims to limit the expansion of village land and land ownership for Christian immigrants in the village, which shows an expansion from year to year. They succeeded in obtaining village land by approaching the head of the alley who took advantage of the land clearing payment. The new settlements they built were close to the settlements of Muslims who restricted themselves from the habits of the Christian immigrants. This competition still raises livelihood problems between two communities that basically come from the same ethnic group. Likewise, Christian settlements such as in Haunapitu, Pardomuan, Simundol, and Pargambiran have continued to grow, especially after the 1970s until now. The Christian Toba Batak people in these villages are no longer from the Toba region, but from various areas outside Toba such

as Pardamaran, Bangun Silo, Pematang Siantar, Pematang Nibung, and Tangkahan.

The issue of land ownership in the village was getting more complicated in the 1980s, when the supply of open land was no longer available while the need for plantation land grew due to the plantation farming system. Land eventually became the most valuable limited resource that was not shared. This situation is characterized by frequent disputes between families due to land boundaries, inherited ownership status, and the prohibition of some plantation owners from crossing their plantation land. One more thing, in the past five years, disputes between garden owners and cattle breeders have often occurred because illegal grazing has caused damage to young plants and fields belonging to villagers.

Although families in the village always try to solve land problems with a kinship approach, if peace is not obtained, the court process will not be avoided. For example, the dispute over the inheritance of family garden land that occurred around 2005 in Gajah Sakti village. Likewise, cases of theft of oil palm fruit which are increasingly happening have to be resolved through legal means. The cases of land disputes that have occurred around the past fifteen years to the present show that in terms of resources among the Toba Batak farmers in the village, apart from taking advantage of the issue of kinship as well as legal and legislative approaches.

Kinship as the Basis of Land Struggle. Although they do not have adequate databases of land tenure disputes in the three research locations, the researchers tried to utilize oral history and secondary data sources in the form of studies on land tenure disputes that occurred from 1980 to after the 1998 reformation. land ownership status in the former settlements in several villages through descent and clan groups.¹⁷ The relationship with the

research objective shows how the Toba Batak descendants develop and manage kinship issues as a strategy to maintain and fight for inherited land ownership based on the clan and family networks they build.

Disputes with plantations and the State. After the development of oil palm plantations owned by the people in 1985, the map of problems in land disputes faced by farmer families became increasingly widespread with plantation companies and the state.¹⁸ One of the sources of this problem, according to Saragih's study, stems from the indecisiveness of the 1960 UUPA and the Basic Forestry Law number 5/1967 in defining references in the interests of the state on the one hand and recognition of the rights of indigenous peoples on the other. Furthermore, in article 19 of the 1960 UUPA concerning registration of land rights and on this basis it must be strengthened by a certificate of title, where in the case of this research carried out on average farmers do not have proof of ownership of land occupied.¹⁹

In 1990, for example, land managed by a number of farmers in Buntu Maraja transferred ownership with the entry of the ABRI program into the village by Battalion 126 on an area of 250 hectares. Furthermore, in 1991 there was also a land ownership dispute between farmers Aek Natolu, Bandar Pasir Mandoge and PT. Sari Persada Raya as the holder of the principle permit from the governor of North Sumatra, which ended with the expulsion of the farmers because they did not have a land title. In 1992, there was also conflict over ownership of the inherited land belonging to Udu boru Manurung and Karmin Manurung in Gonting Silogomon Bandar Pasir Mandoge with PT. Sintong Sari Union.

PIR Land Dispute. One form of effort made by the Toba Batak farming families to fight for land was to take back the land of the Inti Rakyat Company managed by a plantation

company as a partner since 1980. As seen in the cases of PIR PTPN VI Pulau Rakyat (1980s) and PIR PT. Paya Pinang in Buntu Maraja village (1985/86) where most of the participants in both cases were Toba Batak farmers. In its development, not all forms of agricultural business are running well. According to Rachman, the conflict in PIR land management causes many problems that are detrimental to farmers through the mechanism of taking farmers' land by plantations and corruption of farmers' rights by key elements or other intermediaries.²⁰

In the 1980s, landowners gave up their land to be managed through a partnership program between the People's Core Company and PTPN VI Pulau Rakyat. The area of PIR developed around 300 hectares is located in Batunanggar village, Pekan Bandar Pulau. Based on the agreement between the two parties, after seven years the plantation land will be returned to the owner. But after entering the stipulated time, the return of the garden land to the landowner has not been done. Apart from the too long time for handing over the plantation, some of the farming families involved in PIR with PTP VI Pulau Rakyat felt that the costs they had to spend exceeded their ability based on the results of the agreements that had been made with the consideration of additional costs borne by the plantation companies. Meanwhile, according to the PIR participants, there was a tendency for the PTP VI Pulau Rakyat to take advantage of the farmers. The farmers consider that the partnership business does not bring them economic benefits, on the contrary they lose.

The peasant families together forcibly pulled their land back by occupying the garden land. Meanwhile, PTP VI did not fight against the occupation of the peasants. Through negotiations between the families of the PIR participants and the plantations, this effort resulted in an agreement to return their land belonging to them. Although the plantation company requires each family

owner of the land to pay five million rupiah, for one plot of land covering two hectares, as a replacement cost for planting and obtaining a title of title for farmers. The farmers objected to the decision which was burdensome for the farmers. The families put forward the condition that they were willing to pay the fees set by the plantation in installments according to their ability to pay off. This information is like a researcher obtained from the families of PIR participants in Pekan Bandar Pulau.

The same case also happened to PIR PT. Paya Pinang in Simundol hamlet, Gajah Sakti and Buntu Maraja villages, which was opened between 1985-1986. Not less than 306 household heads are registered in the PIR membership letter. Problems developed between 2007 and 2010 when the families of PIR participants attempted to withdraw ownership of land that had been neglected since 2002. Although the process of paying for land titles had not been fully completed, farmer families jointly occupied the plantation land.

The land occupation strategy was driven by a number of family heads who since their ancestors had cleared cultivation in the PIR area during the shifting cultivation period. Most of the drivers of land occupation are descendants of the family or clan that opened the village who are still related to one another through the use of ancestral land issues. In small groups they burn land, cut down thickets, cut down old oil palm trees, and replace them with young oil palms. Small huts where they spend the night are built close together like the past cultivation on the former cultivated land of their ancestors based on markers that are still remembered from their former parents such as hills, creeks, or slopes of napa-napa. Although in some families the cultivators control more land than the area that should be the right.

Apart from occupying the land, efforts to fight for land ownership are also carried out by collecting documentary evidence regarding the existence of the land.²¹ Efforts to occupy land with the support of correspondence evidence and land maps as a group strategy strengthen the basis for claims against the developer. However, until the end of this research, there has not been any dispute settlement case on the land. Farmers continue to occupy the land by monitoring every development that occurs.²²

Dispute for Former Village Land. Another strategy that is similar to that of the marga-marga group is seen in the effort to restore the ownership status of the legacy of the former village using the issue of the clan group. Through the Toba Batak family network using the issue of the clan or lineage of the village founders, the descendants of the village founders made efforts to regain control of some of the settlements of the first generation of migrants by means of land occupation and formal law to the National Land Agency. Although the history of early settlements long before 1930 such as Huta Nasulak, Sugapa, Partinjahan, Napa, Aek Paung and Sidomilik were built based on clans, there is no strong evidence that shows the status of customary land in the village. Even for the descendants of village kings.²³ Recognition of the former lands of several settlements after being abandoned approximately seventy years ago is generally based on ties to the village where it was born. After 1998 these opportunities for families of the village opening descendants felt made possible by the existence of reforms, although they did not provide changes in the land sector as was the case in this study.

Raja Imbalo Butarbutar Village. The essence of the movement is that apart from preserving ancestral graves and of course controlling land, the claim of the village aims to gain recognition of customary land rights from the state because it has been

managed from generation to generation. There is a growing issue among the descendants of King Imbalo Butarbutar that the archives of land ownership status for King Imbalo Butarbutar are actually stored in Amsterdam, although it is difficult to prove. This can be seen in the struggle waged by the descendants of the Butarbutar clan against the land that has been controlled by the Raja Garuda Mas plantation in Sikampak Piasa Ulu, Buntu Pane, which historically is the settlement of King Imbalo Butarbutar and his descendants. Based on oral history, Raja Imbalo Butarbutar came from Sibisa as the village of the parsadaan group of the Nairasaon clan.

Almost every land ownership issue in the village has always been problematic with proof of ownership of documents. Except for a small part of the village land after the 1970s until now. The average land or garden title in the village has been issued only by the village head or by the subdistrict head. Farmers have only become acquainted with the land measurement system and title certificates for the past twenty years through the National Agrarian Operation Project (Prona) program launched by the government since 1981. Since the 2000s only some people have processed their land or garden certificates to the Land Agency Asahan National District.²⁴

Although land ownership cannot be proven by means of a land certificate, the former ancestral village of the Butarbutar clan can be proven through a marker in the form of the tomb of Raja Imbalo Butarbutar, hardwood trees used for old plants such as petai, durian, jackfruit, cempedak, and *gana-gana* or Batak statue, as well as traces of the village that stood long before the opening of the Raja Garuda Mas plantation company.²⁵

After the 1998 reformation, the royal family of Imbalo Butarbutar and the clans of the Nairasaon group demanded the return of their oppung village land to PT. Asian Agri, which is

part of the Raja Garuda Mas Group (RGM) plantation company by occupying the land. Based on data from the research team and land control of Asahan district in 2000, the Raja Garuda Mas Group plantation is one of the private plantations that has problems with its HGU area in Bandar Pulau, Buntu Pane and Air Batu. The area of plantation land disputed by the people with this plantation reaches 5,000 hectares.

The area of the village land claimed in the case of Raja Imbalo Butarbutar is around 1,500 hectares. The descendants of Raja Imbalo Butarbutar assessed that the area of land controlled by Raja Garuda Mas had exceeded the permit limit, so that the village land was included in the land use rights area developed by the plantation company. Descendants of Raja Imbalo and his group clans proposed that the area of land controlled by plantation companies be re-measured by the National Land Agency, but the RGM plantation was not willing to do this. The reclaiming of the former settlement's land is getting stronger when most of the land of the former village is encroached on and turned into plantations, as in the case of the village land of the descendants of Raja Imbalo Butarbutar. It is not only aimed at preserving the existence of family graves as an important marker for the Toba Batak people, but for the repossession of the inherited lands of these clans.²⁶ Responses as stated above are as shown by the families of Batak Toba descent in three villages, namely Gajah Sakti, Buntu Maraja, and Gunung Berkat on land in Huta Nasulak, Gunung Berkat village. Through a network of main clans in the village, including Sitorus, Marpaung, Manurung, they build cooperation as a strategy to maintain the existence of the clan village.

Guru Hatautan Marpaung Village. One of the graves of the Marpaung family descendants of the Marpaung clan in the village land in Huta Nasulak, according to the Marpaung descent

in Gunung Berkat village, is the tomb of Guru Hatautan, as the first generation to open the village.²⁷ It has been done by several Marpaung families from Gunung Berkat village to restore their graves and reopen the village land and plant oil palm on the land between 2011 and 2012.

They have planted about five hectares of oil palm as the property of Guru Hatautan's descendants. But about five years after the first opening, the Marpaung family group came to a halt. Constraints related to the problem of limited land clearing capital. The efforts of the families were running again with a larger number of family members, around fifty people by including the boru children group among the main heir groups. They work in small groups which are divided alternately.

But until now the attempts to occupy land by families appear to be weakening. However, occasionally there are also activities to harvest oil palm fruit belonging to the group. It seems that the main problem with the cessation of the village occupation is that part of the land that was used for the village is included in the registered forest area. The former Huta Nasulak village is now in the Tormatutung protected forest area. In 2016, data was obtained that hundreds of hectares in the old Nasulak village area and the Tormatutung protected forest had been cleared of rubber and oil palm lands. Territorial encroachment was not only carried out in protected forest areas but part of the former Nasulak village land by people from outside the early descendants of Toba Batak migrants who opened villages here. Until now, this area has become one of the disputed lands, especially after the entry of people or parties from outside the village who have no historical land ownership.²⁸

Apart from the issue of proof of ownership, the inclusion of other groups such as Javanese, Karo, Chinese, who are not related to kinship as the descendants of King Imbalo Butarbutar

in the list of names of parties claiming the former village land, is an internal problem faced by the descendants of the king of Imbalo. Butarbutar and the group of clans of the Nairasaon family. There is a possibility that these outside groups may become relatives through marital relations because they take women from the Nairasaon clan group, but based on clan relationships there is no.²⁹ It seems that different positions in the kinship structure cannot be separated from differences in interests, where at the top position in the kinship structure the actor has the most decisive role. The tendency of clan groups to gain special status in the clan structure or kinship is still found, even though they cannot break away from the kinship ties between them, especially the responsibility of providing assistance to family members or other clans in the village.³⁰

The inclusion of the beneficiary group of boru wives or children in the ownership of the land of Nasulak village is also a problem for the founding clans of the village, who have the view that their status should be prioritized as direct heirs. Based on the oral history of the family, the land area of Nasulak village which is stated as the inheritance of the three clans is almost one hundred hectares. However, in reality the family of the boru child group or wife recipient group took a bigger share than the wife or hula-hula group when the re-opening of the former settlement area in Nasulak was carried out after the 2000s. This led to an objection from the wife-giving clan group. Not only do they control a larger area of land, the group of anak boru who take a larger share of the land sells back their land to others outside the group. This case is the case with five families of the Sitorus clan who own sixteen hectares in the former Nasulak village land.

At this point, the strategy of land tenure by the Toba Batak farming family initially used more issues of clan and descent

groups by relying on markers such as tombs, trees, and the geography of the old village. The development of land disputes is getting more complicated, not only among the Toba Batak farmer families but involving other actors such as plantation companies as HGU holders for plantation land and the state through PTPN which they manage. Along with the expansion of relations in the village, the issue of land tenure in the village is not only related to families or individuals but in the wider social space related to politics and state policies.

Farming families in land dispute cases currently use not only clan networks or descent groups but through legal institutional struggles to negotiations between interest groups. The diversity of interests of many parties is manifested through different perspectives on actions on land and negotiations with multiple parties. The play on the issue of kinship and interest appears in the tactic of “expanding” and “narrowing” the nature of membership and positions in different kinship relations at the time of struggle for achievement and when determining land division. This situation has the potential to create conflicts with both external and internal among various tactics.

Conclusion

Studies show kinship practices in livelihood strategies show the focus of migrant interests on tenure and management of land as the most important source of livelihood. Relationships based on ancestry, kinship, and ethnicity greatly influence the pattern of family land inheritance, transfer of rights, management and other strategies related to the way the Toba Batak Moslem maintain land ownership in the village. The strategy they have developed is directly related to the strengthening of social unity between them in which land is the most valuable resource. The

influx of Islamic influence has further confirmed the sustainability of the Toba Batak patrilineal system because of the common ground between the two.

In an effort to gain ownership rights and access to land, families exchange labor for *marsiruppa* and borrow land to each other. By borrowing land, there is a guarantee for families to get access to agricultural land based on kinship. One of the strategies to defend land as a hereditary capital, the sale of land is strictly prohibited, except among relatives. Through several cases of marriage, the relationships that are built are also effective as a means of maintaining, expanding land ownership, and increasing the social prestige of the village founding families or large land owners. The Toba Batak farming family in Asahan manages the land or garden of family associations and clan groups. This land tenure and management practice is not found in clan associations in urban areas.

This study found that the use of kinship networks in the practice of land management and tenure for the Toba Batak people in the village is still effective. In every land dispute case between the Batak Toba people, each family tries to resolve it by prioritizing family methods. However, the cases found in each section of the livelihood strategy show that not all land disputes can be resolved through mere kinship-based tactics. Although the use of family, clan or descent networks is limited in resolving land disputes, this does not mean that kinship practices lose their function. The researcher is of the view that in the future, although the use of family networks, clans or descent groups is limited in function, the practice of kinship in the livelihood strategies of Toba Batak descendants in Asahan in the future will remain.

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¹ Pierre Bourdieu, *Outline of a Theory of Practice* (New York: Cambridge University Press, 1977), pp. 35-37.

² Selly Riawanti, *Teori Tentang Praktik: Saduran Outline of Theory of Practice Karya Pierre Bourdieu* (Bandung: Ultimius, 2017), pp. 21-23.

³ Fauzi Fashri, *Pierre Bourdieu: Menyingkap Kuasa Simbol* (Yogyakarta: Jalasutra, 2014), p. 113.

⁴ John Field, *Modal Sosial*, tr. Nurhadi (Bantul: Kreasi Wacana, 2014), p. 23.

⁵ Koentjaraningrat, *Beberapa Pokok Antropologi Sosial* (Jakarta: Dian Rakyat, 1972), pp. 113-114.

⁶ Edward. M. Bruner, "Kinship Organization Among the Urban Batak of Sumatra," in onlinelibrary.wiley.com, 1959, pp. 118-125.

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¹² Pelzer. Karl. J, *Toeian Keboen dan Petani: Politik Kolonial dan Perjuangan Agraria di Sumatra Timur 1863-1947*, tr. J. Rumbo (Jakarta: Sinar Harapan, 1985), p. 79.

¹³ James. P. Spradley, *Metode Etnografi*, tr. Misbah Zulfa Elizabeth (Yogyakarta: Tiara Wacana, 1997). Some researchers have conducted research on this topic, see for example: Armawi Armaidi, "Kearifan Lokal Batak Toba Dalihan Na Tolu dan Good Governance dalam Birokrasi Publik," in *Jurnal Filsafat*, Vol. 18, No. 2, 2008, pp. 157-166; Edward. M. Bruner, "Batak Ethnic Associations in Three Indonesian Cities," *Southwestern Journal of Anthropology*, Vol. 28. No. 3, 1972, h. 207-229; Erond L. Damanik, "Contestation of Ethnic Identity in Forming Etno-Territorial in Pakpak Bharat Regency, North Sumatra," in *International Journal of Sociology and Anthropology Research*, Vol. 2, No. 2, 2016, pp. 1-15; Erond L. Damanik, "Menolak Evasive Identity: Memahami Dinamika Kelompok Etnik di Sumatera Utara," in *Anthropos: Jurnal Antropologi Sosial dan Budaya*, Vol. 4, No. 1, 2018, pp. 9-22; Erond L. Damanik, "Ethnic Cleavages: The Descent and Clan Sentiment on the Election of Regional Executives (Pemilukada) in Northren Tapanuli, North Sumatera Province," in *Komunitas: International Journal of Indonesian Society and Culture*, Vol. 11, Issue 1, 2019, pp. 61-76; Marlët de Haan, "The Reconstruction of Parenting after Migration: A Perspective from Cultural Translation," in *Human Development*, Vol. 54, No. 6, 2012, pp. 376-

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¹⁴ This marriage case is relevant to the function of preferential marriage among cousins as argued by Bourdieu. Through the practice of inter-cousin marriage, descent groups can be mobilized effectively as a strategy to strengthen genealogical relationships and strengthen the unity of descent groups and maintain family assets. Riawanti, *Teori Tentang Praktik*, p. 21.

¹⁵ Referring to Bourdieu's pattern of analysis, there is actually a relationship between marriage schemes and social reproduction among landlord families in the village through two things: first, material capital, especially seen through ownership of the means of production and symbolic capital owned by both sides of the family; second, the competence of the two families to make the best use of the two assets they had. Riawanti, *Teori Tentang Praktik*, p. 28-29.

¹⁶ In fact, like the experience of *Atok* Jalemot Manurung in 1958, the people in the village easily gave the land they had cleared to other family members without paying so that the land did not turn back into thickets. Apart from the fact that there was still sufficient open land reserves until the 1960s, as mentioned, the villagers contained close families who had no ambition of controlling the land.

¹⁷ Since the 2000s, there have been a number of land disputes in Asahan, including: PTPN III Sei Silau with farmer groups in Buntu Pane. Furthermore, the dispute between the farmers and the Socfindo plantation over a 390 hectare land in Aek Kuasan. Then the dispute over village land and agricultural land for farmers in

Bandar Pulau, Air Batu and Buntu Pane with Asian Agri plantations, both with individuals and groups.

¹⁸ During the New Order era, from 1966, 1970 to 1990s, one of the most common forms of land conflict was the expropriation of land controlled by the people by large capital plantations that received government support, as stated by Noer Fauzi Rachman, *Petani dan Penguasa: Dinamika Perjalanan Politik Agraria Indonesia* (Yogyakarta: Insist Press, 2017), pp. 198-199.

¹⁹ Henry Saragih, "Analisis Kasus-Kasus Sengketa Tanah Sepanjang Orde Baru," in *Perlawanan Kaum Tani* (Medan: Yayasan Sintesa dan Serikat Petani Sumatera Utara, 1998), pp. 39-42.

²⁰ Rachman, *Petani dan Penguasa*, pp. 199-200.

²¹ Collecting evidence of land certificates was carried out by a person named Muhammad Azhar Sitorus, a descendant of one of the village's opening ancestors. Actors are descendants of public works employees in the 1950s. From the personal documents his parents have, he knows a lot about the history and status of the land in the village.

²² The complexity of the problem of resolving the reclaiming of land belonging to the cultivators' ancestors is because part of the PIR's land has been traded and owned individually. Because some of the letters are owned individually, participants must pay land ownership fees to third parties who have taken land certificates from PT. Paya Pinang. Meanwhile, the amount of land certificate payment for each PIR member is thirty million rupiah per hectare. According to information obtained by researchers from several families of PIR participants in Gajah Sakti and Buntu Maraja villages, around 204 participants have made land compensation payments in stages.

²³ This is as stated by Pak Baktiar Sihombing, son of *Tuan* Jafar Sihombing, a descendant of Raja Nahombang, who is a descendant of the king of the ancient village: "We don't have *parsadaan* land, but how come from his part of the village this mountain village belongs to the area of Raja Sinahombang here. The other day there was our *parsadaan* land, which he did not take care of either. That this is the Simargolang Kingdom, including the Sihombing Kingdom, this actually got there. If the management is not continued, people will feel hurt later. While now is not an era anymore right!"

²⁴ For farmers, the issuance of land certificates at this time is related to the interest of collateral to obtain loan money from banks, which have entered remote villages in Asahan. The limited of public land ownership certificates are found in areas with the largest land area such as Bandar Pasir Mandoge (Silau Jawa, Gotting Sidodadi, Suka Makmur and Sei Kopas), Bandar Pulau (Gajah Sakti, Buntu Maraja, and Gunung Berkati) and Buntu Pane. The villages in the three research locations mentioned above were the focus of the implementation of the 2016 PRONA APBN Asahan project.

²⁵ This phenomenon is as stated by Koentjaraningrat (1972: 49) that the existence of long-lived trees planted by cultivators who worked on the agricultural land for

the first time, binded them to the old fields even though the people who worked them had been left behind. This seems to have become a kind of habit that has developed in the system of ownership for cultivation in Indonesia. scattered out of the occupied land. After the occupation incident, the efforts to restore the land of the Raja Imbalo Butarbutar village have not yet been realized, as stated by *Pak Yusuf Manurung* as one of the figures from the Nairasaon clan family who participated in the effort. In 2000 this case was handled by Commission A DPRD Asahan with demands to straighten the area of HGU for plantations to the Central BPN and to release part of the land belonging to the claimants. But until now, these efforts have not found a bright spot.

²⁶ The occupation of land by descendants and the support of students in Asahan met with resistance from the plantation by deploying Brimob by means of gun violence. Although not taking victims, but demonstrators.

²⁷ Based on the oral history of the Nasulak village families as one of the early settlements for Batak Toba migrants in Asahan, they were no longer inhabited after 1933. Although they are no longer inhabited, sometimes their descendants still visit the graves of their families here. This practice was carried out because some of the Toba Batak descendants were born in Nasulak first. However, efforts to reclaim the old village land have not been successful to date.

²⁸ During the New Order government according to Rahman (2017: 201) based on a map made by the Dutch East Indies Colonial Government during the end of its control in Indonesia, the Indonesian government determined forest boundaries from settlements and land cultivated by residents. Meanwhile, since the time of independence the farmers have cleared the forest and have cultivated the land for more than thirty years and have made the land a settlement.

²⁹ As seen in the study of land occupation by farmers conducted by Chrysantini (2007: 133-134) through an actor approach, it shows that in a collective action of land occupation by farmers, different interests that are contradictory to one another are still possible.

³⁰ The differences position in the kinship structure limit the actor's actions. in the context of land occupation as in this study, it was also found in a study conducted by Popy Dwi Patrojani and Suraya Afiff, "Kinship as Social Institutions Influencing Community Resistance Agency: A Case Study of Peasants' Protests Against Irrigation Development Projects in West Sumatra," in *Indonesian Anthropology*, Vol. 39, No. 2, 2018, p. 157-175. Through the role of power over ulayat lands, the *ninik mamak* group limits the action of demanding land compensation payments made by farmers in the case of irrigation development disputes in Batang Sinamar, West Sumatra, where they are bound in matrilineal kinship relations as sumando and niece of the children.